

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

your
honor's
copy

H Katz

Plaintiff,

against

Joe R Mogus
All That Glitter
Defendant(s)

NOTICE OF MOTION

cv 06-0574 (ABC)

[docket number] [judge's initials]

06-0574

D.L. Iozzari

PLEASE TAKE NOTICE that upon the annexed affidavit or

affirmation Joe R Mogus sworn to or affirmed

12/18/

2006

and upon the complaint herein,

plaintiff Joe R Mogus will move this Court,

Honorable Denis L. Iozzari
(Judge's name) U.S.D.J.,

in room 21st United States Courthouse, Brooklyn, New York, 11201,

on the 21st day of December 2006, at (time) or as

soon thereafter Self ~~as-counsel~~ can be heard, for an order pursuant to

Rule of the Federal Rules of Civil Procedure granting

More that this court dismiss this case

CV 06-0574 - in that cause of action did not-

Dated: Benton OREGON
(county) ~~New York~~

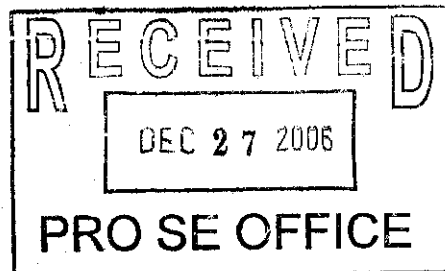
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12/18/2006
(date)

Joe R Mogus

PLAINTIFF PRO SE

Joe R Mogus



FILED
DEC 27 AM 11:50
CLERK
EASTERN DISTRICT OF NEW YORK

OCCUR in Eastern District, Southern District or anywhere in New York. If as Plaintiff Katz alleges I will not return, have not returned the jewelry items where did or is this occurring, in New York? No, no it is not, or did not - it could not occur anywhere in New York - I only saw Mr Katz there twice and not since 1998, Twice in 20 years!

If as Mr Katz alleges items are un-retained this happened in West Virginia or is ongoing in Oregon as I am now here, Corvallis Oregon.

A substantial part of our business - Katz & All That Matters did not occur in New York,

Thank You

Sincerely

Joe Bologna

* P.S. Both times I did see Mr Katz in New York he did not recognize me, both times I had to introduce myself, should this case eventually go to court I honestly doubt Mr Katz would be able now to even know who I am - he has not seen me in nearly 10 years.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

H Katz X

Plaintiff,

-against-

Joe R. Mogus
All That Gutter
Defendants.

Affirmation of Service

- cv 06 0574

I, Joe Mogus X

, declare under penalty
of perjury that I have served a copy of the attached Notice of
Motion and Affirmation/Affidavit in support upon

Attorney Schmel K Co

whose address is 268 West Route 55
Spring Valley
New York 10977

Dated:

Joe R. Mogus
Signature

PO Box 422
Address

Corvallis OREGON
City, State & Zip Code

97333
Telephone

541 925 5462

OR:

WHEREFORE, I respectfully request that the court grant the within motion, as well as such other and further relief that may be just and proper.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 12/18/2006

Joe R Magus

Our Signature

Print your name

Joe R Magus